

EXHIBIT A

WSOU INVESTMENTS, LLC d/b/a
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

HUAWEI TECHNOLOGIES CO. LTD.,
ET AL.

Defendants.

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NO. 6:20-CV-536-ADA

WSOU INVESTMENTS, LLC d/b/a
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

HUAWEI TECHNOLOGIES CO. LTD.,
ET AL.

Defendants.

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NO. 6:20-CV-537-ADA

WSOU INVESTMENTS, LLC d/b/a
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

HUAWEI TECHNOLOGIES CO. LTD.,
ET AL.

Defendants.

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NO. 6:20-CV-538-ADA

WSOU INVESTMENTS, LLC d/b/a
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

HUAWEI TECHNOLOGIES CO. LTD.,
ET AL.

Defendants.

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NO. 6:20-CV-539-ADA

WSOU INVESTMENTS, LLC d/b/a
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

HUAWEI TECHNOLOGIES CO. LTD.,
ET AL.

Defendants.

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NO. 6:20-CV-540-ADA

WSOU INVESTMENTS, LLC d/b/a
BRAZOS LICENSING AND
DEVELOPMENT,

Plaintiff,

v.

HUAWEI TECHNOLOGIES CO. LTD.,
ET AL.

Defendants.

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NO. 6:20-CV-541-ADA

DEFENDANTS' IDENTIFICATION OF EXTRINSIC EVIDENCE

Pursuant to the deadline set forth in the Scheduling Order, Defendants (collectively, “Huawei” or “Defendants”) hereby identify the following extrinsic evidence, including expert testimony, that Huawei may rely on with respect to the claim construction or contention of indefiniteness for the asserted claims of U.S. Patent Nos. 6,882,627 (“the ‘627 Patent”), 7,095,713 (“the ‘713 Patent”), 7,508,755 (“the ‘755 Patent”), 7,515,546 (“the ‘546 Patent”), 7,860,512 (“the ‘512 Patent”), 7,872,973 (“the ‘973 Patent”), 8,200,224 (“the ‘224 Patent”), 8,417,112 (“the ‘112 Patent”), 9,084,199 (“the ‘199 Patent”), 8,249,446 (“the ‘446 Patent”), 6,999,727 (“the ‘727 Patent”), and 8,429,480 (“the ‘480 Patent”). Huawei reserves the right to update, supplement, revise, or otherwise modify this identification of extrinsic evidence as claim construction progresses and/or to rely on the extrinsic evidence identified by Plaintiff.

The ‘627 Patent (the -533 case):

- The testimony of Dr. Tal Lavian on the indefiniteness of claims 29 and 30 of the ‘627 Patent;
- Definitions of “topology” and “virtual” from Newton’s Telecom Dictionary, 17th Edition (2001);

The ‘713 Patent (the -534 case):

- N/A;

The ‘755 Patent (the -535 case):

- The testimony of Dr. Tal Lavian on the indefiniteness of claims 8, 20, 23, and 25 of the ‘755 Patent;

The ‘546 Patent (the -536 case):

- N/A;

The '512 Patent (the -537 case):

- N/A;

The '973 Patent (the -538 case):

- The testimony of Dr. Tal Lavian on the indefiniteness of claims 1 and 9 of the '973 Patent;

The '224 Patent (the -539 case):

- N/A;

The '112 Patent (the -540 case):

- N/A;

The '199 Patent (the -541 case):

- N/A;

The '446 Patent (the -542 case):

- N/A;

The '727 Patent (the -543 case):

- The testimony of Dr. Vishal Sharma on the indefiniteness of claims 4, 5, 6 and 7 of the '727 Patent;

The '480 Patent (the -544 case):

- The testimony of Dr. James Proctor, Jr. on the indefiniteness of claim 2 of the '480 Patent;
- 3GPP Standards documents, including TS36.213 V.8.3.0, TS36.300 V.8.1.0, and TS36.321 V.8.2.0, and any earlier or later version with the same or similar disclosures;

- EP 2201717 B1 and its prosecution history.¹

In addition to the extrinsic evidence identified above, Defendants reserve the right to rely on Plaintiff's Preliminary Infringement Contentions, sworn testimony from the named inventors to the patents-in-suit in this or any related litigation involving the patents-in-suit or their foreign counterparts, and any materials from any other administrative proceedings or litigations involving the patents-in-suit or their foreign counterparts, including the following:

- IPR2021-00222, IPR2021-00223, IPR2021-00224, IPR2021-00225, IPR2021-00226, IPR2021-00227, IPR2021-00228, and IPR2021-00229;
- Litigation materials from *WSOU Investments, LLC v. Huawei Technologies Deutschland GmbH*, Case No. 4a O 8/20, Düsseldorf District Court, involving EP 1835673 B1 (DE 60 2004 033 134.1), which is a foreign counterpart to the '713 Patent;
- Litigation materials from *WSOU Investments LLC v. Huawei Technologies Deutschland GmbH*, Case No. 7 O 18410/19, Munich Regional Court I, involving EP 2203014B1, which is foreign counterpart to the '224 Patent;
- Litigation materials from *WSOU Investments LLC v. Huawei Technologies Deutschland GmbH*, Case No. 4c O 78/19, Dusseldorf Regional Court, involving EP 1643700B1, which is a foreign counterpart to the '199 Patent;

Dated: January 15, 2021

Respectfully submitted,

/s/ Jason W. Cook

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¹ While foreign patents and their respective prosecution histories are generally considered intrinsic evidence to a U.S. patent, Defendants are identifying this evidence here in the event the Court were to determine this evidence is extrinsic to the '480 Patent.

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Device USA*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was served on all counsel of record who are deemed to have consented to electronic service via electronic mail on January 15, 2021.

/s/ Shaun W. Hassett
Shaun W. Hassett